



October 16, 2023

Chair, Rep. Kara Hope  
Criminal Justice Committee  
124 N. Capitol Ave.  
Lansing, MI 48933

*Re: HB 5046*

Dear Chair Hope and Members of the Criminal Justice Committee:

On behalf of Certified Shorthand Reporters (CSRs) and Certified Electronic Recorders (CERs), both court-employed and freelance, we are urging you to pass HB 5046. There is a crisis in Michigan involving the preparation of transcripts that stems from the statutory page rate that has remained stagnant for over 36 years.

Over the years the number of CSRs and CERs has dwindled to an unsustainable level. Many have left the profession due to insufficient compensation and younger generations are reluctant to join. HB 5046 would bring Michigan's page rate to a competitive level more commensurate with neighboring states and appropriately compensate us for our valuable skill. This page rate increase will begin to reverse the effects of ignoring this issue for so long.

Not only does this crisis affect the CSRs and CERs themselves, but any defendant, litigant, attorney, judge, court staff, or court administrator that need timely transcripts to effectively administer justice.

An August 26, 2022 article in the Lansing State Journal reported that the backlog was at approximately 900 cases. As a result, the 30<sup>th</sup> Circuit Court in Lansing repurposed a nearby building which has been used for just over a year for visiting judges to assist in clearing the backlog.

When asked how the shortage of qualified transcriptionists is affecting the court system, an attorney from the Ingham County Public Defender's office stated, "Our clients end up sitting in jail for significant periods of time or are having to wait months on bond so that some sort of motion practice can eventually occur. The lack of transcript essentially just puts the brakes on moving the case forward in any way."

You have recently heard testimony on HB 5046. There are a few items we wanted to expand upon that came up during the questioning and answer portion of the testimony.

- **Transcripts for Indigent Defendants:** This page rate increase will not affect indigent defendants. If a defendant has appointed counsel, their counsel can request a transcript and it is billed to and paid by the appropriate agency. If a defendant is appealing their conviction the entire record is prepared at public expense.

- **Copy rate:** The copy rate applies to both hard and digital copies. Not all courts participate in the MiFILE system and hard copies are still required in many jurisdictions. This is similar to copy fee policies for court records. Courts also charge the same for hard and digital copies. In some jurisdictions the copy rate is as high as \$2.00 per page.
- **Timing for Filing:** The court rules spell out how much time we have to file transcripts for various types of appeals. While we strive to turn out transcripts within those timelines and non-appeal orders in a reasonable time period, due to the shortage of available CERs and CSRs, this has resulted in the untimely filing of transcripts and delay in disposition of appellate disputes. If we are able to attract and/or recoup CERs and CSRs with an appropriate page rate, we will be able to fill orders faster and litigants will gain quicker access to their record.
- **MAC Opposition:** We are aware of MAC's card in opposition to this legislation and the issues raised in their letter to you dated October 9, 2023. We are extremely interested in working with MAC to address their concerns and gain their support. Each court has a unique system for the preparation of court transcripts. We believe it would be beneficial that any amendment address MAC's audit concerns while giving individual courts the ability to implement policies that best serve their needs.

As indicated below, HB 5046 has the full support of all professional court reporting organizations in Michigan including the Michigan Electronic Court Reporters Association (MECRA), the Michigan Association of Professional Court Reporters (MAPCR), and the Michigan Association of Freelance Court Reporters (MAFCR). We collectively ask this Committee to vote yes on this vital piece of legislation.

Thank you for your consideration, and please do not hesitate to contact any of us if you have questions or wish to discuss the matter further.

s/ Jacqueline Reed  
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